

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ROBERT PIERRE KIDD,

Plaintiff,

v.

C.O. SANKEY, SGT. HUELSMON,
and LT. SCHNEIDER,

Defendants.

ORDER

17-cv-597-jdp

ROBERT PIERRE KIDD,

Plaintiff,

v.

WAUPUN CORRECTIONAL INSTITUTION,

Defendant.

ORDER

18-cv-313-jdp

Plaintiff Robert Pierre Kidd, appearing pro se, is an inmate at the Waupun Correctional Institution. In case no. 17-cv-597-jdp, he alleges that correctional officials held him down and pepper sprayed him while he was having a seizure in December 2014 even though prison officials were told not to handcuff him during seizures. More recently, he submitted a complaint that was assigned the number 18-cv-313-jdp; in that case he alleges that he was billed about \$540 for a correctional officer's injuries after a March 2018 incident involving another seizure.

Kidd filed a motion asking me to join these two cases, stating that they both have to do with the method by which correctional officers respond to his seizures. On May 30, 2018, I issued an order stating that Kidd might be able to join the two cases together, but that his current pleadings were not in an acceptable form for joining with the '597 case. *See* Dkt. 17 in the '313 case. I explained that the allegations in the '313 case were scattered between the

complaint and the motion to join cases, and that Kidd did not explain which individual defendants were responsible for confiscating his funds to pay for the officer's medical bills. *Id.* I gave him a short time to submit an amended complaint, captioned under the '597 case, combining all of the claims from the '597 case and from the '313 case, and explaining how they are related to each other.

But Kidd has now submitted a letter discussing various other alleged misdeeds by prison officials that he says will be the focus of additional civil-rights lawsuits, and also stating that he no longer wishes to join the two cases together. *See* Dkt. 23 in the '313 case. Accordingly, I will consider his motion to join the two cases to be withdrawn. The two cases will proceed separately. The court has set a preliminary pretrial conference in early July for the '597 case.

Kidd's task in the '313 case is to amend his complaint about being improperly billed to include all of his allegations concerning that case together in one document, explain which prison officials violated his rights, and name those officials in the caption of the amended complaint. If Kidd does not know the identity of particular defendants, he may label them as John Doe No. 1, John Doe No. 2, and so on, and the court has procedures by which he may make discovery requests to identify those defendants. I will set a new deadline for Kidd to submit an amended complaint in the '313 case. If Kidd does not provide an amended complaint by the new deadline, I will dismiss the case for his failure to prosecute it.

ORDER

IT IS ORDERED that:

1. Plaintiff Robert Pierre Kidd's motion to withdraw his motion to join the two above-captioned cases, Dkt. 23, in case no. 18-cv-313-jdp, is GRANTED.

2. Plaintiff may have until July 12, 2018, to submit an amended complaint in the '313 case.

Entered June 21, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge